



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 10.03.2022

CORAM:

THE HON'BLE Dr. JUSTICE G.JAYACHANDRAN

Crl.O.P.No.5558 of 2022

Prakash

.. Petitioner

Vs.

State rep. by
The Station House Officer,
Kattumannarkoil Police Station,
Cuddalore District.
(Crime No.142 of 2022)

.. Respondent

PRAYER: Criminal Original Petition has been filed under Section 439 of Cr.P.C praying to enlarge the petitioner on bail in connection with the Crime No.142 of 2022 on the file of the respondent police.

For Petitioner : Mr.D.Padmanabhan

For Respondent : M/s.G.V.Kasthuri
Additional Public Prosecutor

O R D E R

The petitioner, who was arrested for the offences punishable under Sections 174 of IPC later altered to 306 of IPC in Crime No.142 of 2022, on the file of the respondent police, seeks bail.

2.The F.I.R. given by the father of the deceased girl indicates that the petitioner herein had love affair with his daughter. Three days prior to the incident, he demanded dowry to marry the victim girl which forced his daughter to commit suicide. However, the learned counsel for the petitioner submitted that there was no dowry demand by the petitioner to marry the deceased. Since the defacto complainant refused to give consent for the marriage, his daughter got depressed and committed suicide.

3.Considering the peculiar facts of the case, this Court is of the view that the bail may be granted to the petitioner. Accordingly, bail is granted to the petitioner and he is ordered to be released on bail subject to the following conditions;



(a) The petitioner shall execute a bond for a sum of Rs.50,000/- (Rupees Fifty Thousand only) with two sureties, each for a like sum to the satisfaction of the learned District Munsif-Cum-Judicial Magistrate, Kattumannarkoil.

WEB COPY (b) the sureties shall affix their photographs and Left Thumb Impression in the surety bond and the learned Magistrate may obtain a copy of their Aadhar Card or Bank Pass Book to ensure their identity;

(c) the petitioner is directed to appear before the Investigating Officer twice daily at 10.30 a.m. and 04.30 p.m. until further orders.

(d) the petitioner shall not tamper with evidence or witness either during investigation or trial;

(e) on breach of any of the aforesaid conditions, the learned Judicial Magistrate/Trial Court is entitled to take appropriate action against the petitioners in accordance with law as if the conditions have been imposed and the petitioners released on bail by the learned Magistrate/Trial Court himself as laid down by the Hon'ble Supreme Court in P.K.Shaji vs. State of Kerala [(2005)AIR SCW 5560];

(f) if the accused thereafter absconds, a fresh FIR can be registered under Section 229A IPC.

-sd/-

10/03/2022

This order, on being produced, be punctually observed and carried into execution by all concerned

TRUE COPY

Sub-Assistant Registrar (Statistics/C.S.)
High Court, Madras - 600 104.

TO

1 THE DISTRICT MUNSIF CUM
JUDICIAL MAGISTRATE,
KATTUMANNARKOIL

2 THE CHIEF JUDICIAL MAGISTRATE
CUDDALORE (FOR INFORMATION)

3 STATION HOUSE OFFICER,
KATTUMANNARKOIL POLICE STATION,
CUDDALORE DISTRICT.



4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

5 THE SUPERINTENDENT,
CENTRAL PRISON, CUDDALORE

CC to M/S. D.PADMANABHAN Advocate on payment of necessary
charges Sr.3664

CRL OP.5558/2022

Date :10/03/2022

RVR 10/03/2022